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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,210	12/28/2001	Seiya Shimizu	FUJH 19.301	7375

26304 7590 08/23/2006

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EXAMINER	
BEMBEN, RICHARD M	

ART UNIT	PAPER NUMBER
2622	

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/033,210	SHIMIZU, SEIYA	
	Examiner	Art Unit	
	Richard M. Bemben	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 December 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5 and 8-10* is/are rejected.

7)☒ Claim(s) *6 and 7* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *12/28/01*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. **Claims 1 and 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy (*US 6,564,380*) in view of Fukushima et al. (*US 6,587,985*).**

Regarding **claim 1**, Murphy discloses a network storage type video camera system comprising: camera terminal equipment (transmitter) for generating moving image data (c. 6, ll. 25-64; c. 7, ll. 49-53; c. 7, l. 61 – c. 10, l. 36; Fig. 2); a network (c. 6, l. 65 – c. 7, l. 15); and a moving image storage server (receiver) connected to the camera terminal equipment through the network, wherein the camera terminal equipment converts the generated moving image data into packets to transmit in real time to the moving image storage server (c. 10, l. 37 – c. 12, l. 11; Fig. 3). However, Murphy does not disclose that the moving image storage server stores received packets and then reports reception packet information on the received packets to the camera terminal equipment; and further, after real-time transmission of the packets is completed, the camera terminal equipment supplies one or more lost packets having been lost during the transmission to the moving image storage server, so as to complement the lost packets according to the reported reception packet information.

Fukushima et al. disclose an apparatus that captures and transmits streaming/real-time video (c. 14, ll. 9-36; c. 21, l. 33 – c. 22, l. 30; Fig. 10) to a receiver (c. 22, ll. 35-56; Fig. 11). Fukushima et al. further discloses that receiver stores received packets and then reports reception packet information on the received packets to the transmitter; and further, after real-time transmission of the packets is completed, the transmitter equipment supplies one or more lost packets having been lost during the transmission to the receiver, so as to complement the lost packets according to the reported reception packet information (c. 22, l. 52 – c. 23, l. 65; Fig. 12; note, claim is does not require the limitation "after real-time transmission of all packets is completed", regardless, S5 in Fig. 12 could be considered as last packet to be transmitted). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to transmit packets in real-time to a receiver and supply lost packets based on reception packet information as disclosed by Fukushima et al. in the network storage type video camera system disclosed by Murphy in order to ensure that all packets are transmitted to the receiver.

Regarding **claim 4**, refer to the rejection of claim 1 and Fukushima et al. further disclose a drive mechanism for receiving memory medium to store the packets being supplied to the moving image sever after the completion of the real-time packet transmission to complement the lost packets having been lost during the real-time transmission (Fig. 10, "17a"; Examiner interprets "a drive mechanism for receiving a memory medium" as any wired connection that allows stored data to be transported,

therefore the drive mechanism is inherent to buffer 17a); and in the moving image storage server, a drive mechanism for receiving the memory medium to read in stored (all) packets (c. 11, ll. 1-4; server 310 has data storage 350 which inherently has some sort of drive mechanism for the memory).

Regarding **claim 5,** refer to the rejection of claim 1 and Fukushima et al. further disclose a transmitter that comprises a storage means for storing packets for real-time transmission, from which lost packets to be supplied after the completion of the real-time packet transmission are obtained by deleting from the storage means the packets having been received by the receiver according to the reception packet information reported from the receiver (c. 16, ll. 47-60).

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of Driessen et al. (*US 6,850,559*).

Regarding **claim 2**, Murphy discloses a network storage type video camera system comprising: camera terminal equipment (transmitter) for generating moving image data (c. 6, ll. 25-64; c. 7, ll. 49-53; c. 7, l. 61 – c. 10, l. 36); a network (c. 6, l. 65 – c. 7, l. 15); and a moving image storage server (receiver) connected to the camera terminal equipment through the network, wherein the camera terminal equipment converts the generated moving image data into packets to transmit in real time to the moving image storage server (c. 10, l. 37 – c. 12, l. 11; Fig. 3). However, Murphy does not disclose that the moving image storage server stores received packets and then

reports reception packet information on the received packets to the camera terminal equipment; and further, in parallel with the real-time packet transmission, the camera terminal equipment supplies through another channel route one or more lost packets having been lost during the transmission to the moving image storage server, so as to complement the lost packets according to the reported reception packet information.

Driessen et al. disclose an apparatus that captures and transmits streaming/real-time video to a receiver (c. 1, ll. 15-20; c. 3, l. 29 – c. 6, l. 29; c. 8, l. 1 – c. 9, l. 30; Fig. 4). Driessen et al. further discloses that the receiver stores received packets and then reports reception packet information on the received packets to the transmitter; and further, in parallel with the real-time packet transmission, the transmitter supplies through another channel route one or more lost packets having been lost during the transmission to the receiver, so as to complement the lost packets according to the reported reception packet information (c. 8, l. 61 – c. 9, l. 30; Fig. 4, "431"; note that the claim does not require the lost packets to be sent through "another channel route", simply that through "another channel route", which Examiner interprets as at least "through the use of another channel route", the transmitter supplies lost packets to the receiver). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to transmit packets in real-time to a receiver and supply lost packets through the use of another channel route as disclosed by Driessen et al. in the network storage type video camera system disclosed by Murphy in order to reduce the possibility of bottleneck in the initial channel route.

4. Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of Fukushima et al. in further view of Miller et al. (US 6,978,306).

Regarding **claim 3**, Murphy in view of Fukushima et al. discloses a network storage type video camera system with packet re-transmission capability (refer to the rejection of claim 1). However, Murphy in view of Fukushima et al. does not disclose that the moving image storage server (receiver) restores the moving image data using both the packets being stored during the real-time packet transmission and the lost packets being supplied from the camera terminal equipment after the real-time transmission is complete.

Miller et al. disclose a real-time video stream distribution network comprising transmitters and receivers (c. 1, l. 65 – c. 2, l. 18; Fig. 1). Miller et al. further disclose packet retransmission due to a packet being lost or corrupted and that the receiver restores the moving image data using both the packets being stored during the real-time packet transmission and the lost packets being supplied from the camera terminal equipment after the real-time transmission is complete (c. 3, l. 55 – c. 4, l. 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to restore the moving image data as disclosed by Miller et al. in the network storage type video camera system disclosed by Murphy in view of Fukushima et al. so that the moving image is complete and its quality is maintained.

Regarding **claim 8**, refer to the rejection of claim 3 and Miller et al. further discloses a moving image regeneration terminal (Fig. 1, "108") being connected to the receiver (Fig. 1, "109") server through a network, for distributing to the moving image regeneration terminal a moving image being stored during the real-time recording, and for distributing a restored moving image having no loss after the recording is completed (c. 3, ll. 55-61).

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of Driessen et al. in further view of Miller et al.

Regarding **claim 9**, Murphy in view of Driessen et al. discloses a network storage type video camera system with packet re-transmission capability (refer to the rejection of claim 2). However, Murphy in view of Driessen et al. does not disclose that the moving image storage server (receiver) restores the moving image data using both the packets being stored during the real-time packet transmission and the lost packets being supplied from the camera terminal equipment after the real-time transmission is complete.

Miller et al. disclose a real-time video stream distribution network comprising transmitters and receivers (c. 1, l. 65 – c. 2, l. 18; Fig. 1). Miller et al. further disclose packet retransmission due to a packet being lost or corrupted and that the receiver restores the moving image data using both the packets being stored during the real-time packet transmission and the lost packets being supplied from the camera terminal equipment after the real-time transmission is complete (c. 3, l. 55 – c. 4, l. 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to restore the moving image data as disclosed by Miller et al. in the network storage type video camera system disclosed by Murphy in view of Driessen et al. so that the moving image is complete and its quality is maintained.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of Driessen et al. in further view of Fukushima et al.

Regarding **claim 10**, Murphy in view of Driessen et al. discloses a network storage type video camera system with packet re-transmission capability (refer to the rejection of claim 2). However, Murphy in view of Driessen et al. does not disclose that the camera terminal equipment comprises (transmitter) a storage means for storing packets for real-time transmission, from which lost packets to be supplied after the completion of the real-time packet transmission are obtained by deleting from the storage means the packets having been received by the moving image storage server (receiver) according to the reception packet information reported from the moving image storage server (receiver).

Fukushima et al. disclose a transmitter that comprises a storage means for storing packets for real-time transmission, from which lost packets to be supplied after the completion of the real-time packet transmission are obtained by deleting from the storage means the packets having been received by the receiver according to the reception packet information reported from the receiver (c. 16, ll. 47-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to

delete packets having been received as disclosed by Fukushima et al. in the a network storage type video camera system by Murphy in view of Driessen et al. in order to avoid buffer-overflow errors in the storage means.

Allowable Subject Matter

7. Claims 6 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Radha et al. (US 6,629,318) discloses a decoder buffer capable of receiving streaming video data packets and storing the data packets in a plurality of access units where in response to a detection of a missing data packet in the re-transmission region, requests that the streaming video transmitter retransmit the missing packet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard M. Bemben whose telephone number is (571) 272-7634. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc-Yen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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8/18/06 8/18/06

NGOC-YEN VU
SUPERVISORY PATENT EXAMINER